

Approved: BK
BENJAMIN D. KLEIN
Assistant United States Attorney

Before: THE HONORABLE JUDITH C. McCARTHY
United States Magistrate Judge
Southern District of New York

21 MJ 7422

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UNITED STATES OF AMERICA : **COMPLAINT**
: Violations of
-v.- : 18 U.S.C. §§ 2119, 371,
: 924(c) and 2
MARCEL DOTTIN and :
LANCE DOTTIN, : COUNTY OF OFFENSE:
Defendants. : DUTCHESS
:-----X

SOUTHERN DISTRICT OF NEW YORK, ss.:

ROBERT LOMBARDI, being duly sworn, deposes and says that he is a Task Force Officer with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE
(Conspiracy to Commit Carjacking)

1. In or about July 2021, in the Southern District of New York and elsewhere, MARCEL DOTTIN and LANCE DOTTIN, the defendants, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, in violation of Title 18, United States Code, Section 2119.

2. It was a part and an object of the conspiracy that MARCEL DOTTIN and LANCE DOTTIN, the defendants, and others known and unknown, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another by force and violence and by intimidation, to wit, MARCEL DOTTIN, LANCE DOTTIN, and others known and unknown agreed to take a 2015 BMW that had been transported, shipped and received in interstate and foreign commerce, from another person by force.

Overt Acts

3. In furtherance of said conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. On or about July 28, 2021, LANCE DOTTIN, the defendant, physically assaulted the victim of a carjacking (the "Victim").

b. On or about July 28, 2021, MARCEL DOTTIN, the defendant, pointed a gun at the Victim's head and subsequently drove away in the Victim's car without the Victim's authority or permission.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Carjacking)

4. On or about July 28, 2021, in the Southern District of New York, MARCEL DOTTIN and LANCE DOTTIN, the defendants, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another by force and violence and by intimidation, and did aid and abet the same.

(Title 18, United States Code, Sections 2119 and 2.)

COUNT THREE
(Brandishing a Firearm)

5. On or about July 28, 2021, in the Southern District of New York, LANCE DOTTIN and MARCEL DOTTIN, the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the carjacking charged in Count Two of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess firearm, and did aid and abet the use, carrying, and possession of a firearm, which was brandished.

(Title 18, United States Code, Sections
924(c) (1) (A) (i), (ii), and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

6. I have been involved in the investigation of the above-described offenses. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, including my review of pertinent documents, and from my conversations with fellow law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Investigation

7. Based on my conversations with other members of law enforcement, review of surveillance footage, and review of law enforcement records and reports, I have learned the following information, in substance and in part:

a. The Victim is the owner of a black BMW 328i, with New York license plate KLK7757 (the "BMW Sedan"). Based on my discussions with other law enforcement officers and my review of related reports, I have learned the VIN number of the BMW Sedan. Based on information obtained from a database used by law enforcement, I have learned that the BMW Sedan was manufactured in South Africa.

b. On or about July 28, 2021, at approximately 6:50 a.m., the Victim returned in the BMW Sedan to his residence, located in Fishkill, New York (the "Residence"), from the Empire City Casino in Yonkers.

c. As the Victim drove up to his Residence, he noticed two black males walking on the sidewalk. One of the black males was wearing black pants and a black sweater that was covering the bottom of his face. The other black male was wearing a black tank top, black pants, and had a muscular build.

d. The Victim pulled the BMW Sedan into the driveway of the Residence and parked in a lot behind his home.

e. After the Victim exited the BMW Sedan, he walked towards the back steps of the Residence. At this time, Co-Conspirator 1 ("CC-1") approached the Victim and asked a question.

As CC-1 approached the Victim, LANCE DOTTIN, the defendant, grabbed the Victim from behind and demanded his keys and money. The Victim struggled and yelled for help.

f. At or around this time, MARCEL DOTTIN, the defendant, approached the Victim, pointed a black handgun at the Victim's head, and said, in sum and substance, "shut up or I'll shoot you." The Victim stopped struggling and gave the defendants his car keys and wallet. MARCEL DOTTIN drove away in the BMW Sedan without the Victim's authority or permission. LANCE DOTTIN and CC-1 fled the scene in another vehicle.

8. Based on my conversations with other members of law enforcement and my review of law enforcement records and reports, I understand the following:

a. A Facebook account called "Mar Bin Trappin" appears to be associated with MARCELL DOTTIN, the defendant. The URL for the account is "<https://www.facebook.com/marcel.dottin>." The account also has a profile picture that a member of law enforcement has positively identified as MARCELL DOTTIN.

b. At approximately 8 a.m., on or about July 28, 2021 (i.e. approximately one hour after the carjacking described above), the user of the "Mar Bin Trappin" account posted an approximately 5-second video clip on Facebook story. The video clip shows the logo of a BMW and the inside of a car.

c. The Victim has reviewed the clip and identified the car in the video as the BMW Sedan that was stolen by the defendants. In particular, the video shows a white Anker phone charger in the vehicle as well as certain plugs connected to that charger, which the Victim recognized from his BMW Sedan.

9. I have reviewed a statement by a witness ("Witness-1") to the carjacking of the Victim. Based on that statement, I know the following, in substance and in part:

a. Witness-1 also resides at the Residence.

b. At or around 6:50 a.m., on or about July 28, 2021, Witness-1 heard a scream coming from the backyard. Witness-1 looked out the back window of his home and did not see what had caused the sound. Witness-1 then looked out the front window and saw a black male wearing a black shirt with red lines exit a gray SUV. The black male proceeded to the driver's side rear door of the SUV. When the black male opened the driver's side door,

Witness-1 saw a piece of paper, which was later identified as a traffic ticket (the "Traffic Ticket"), fall out of the SUV. Witness-1 then saw another black male wearing a black t-shirt and black pants run towards the SUV and enter the driver's side door. The SUV then drove away.

c. Witness-1 retrieved the Traffic Ticket and provided it to a member of law enforcement who responded to the scene.

10. Based on my conversations with other members of law enforcement and my review of law enforcement records and reports, I understand the following:

a. On or about July 28, 2021, at approximately 2 a.m. (i.e. approximately five hours before the carjacking described above), an Officer of the Westchester County Police ("Officer-1") issued the Traffic Ticket to LANCE DOTTIN, the defendant.

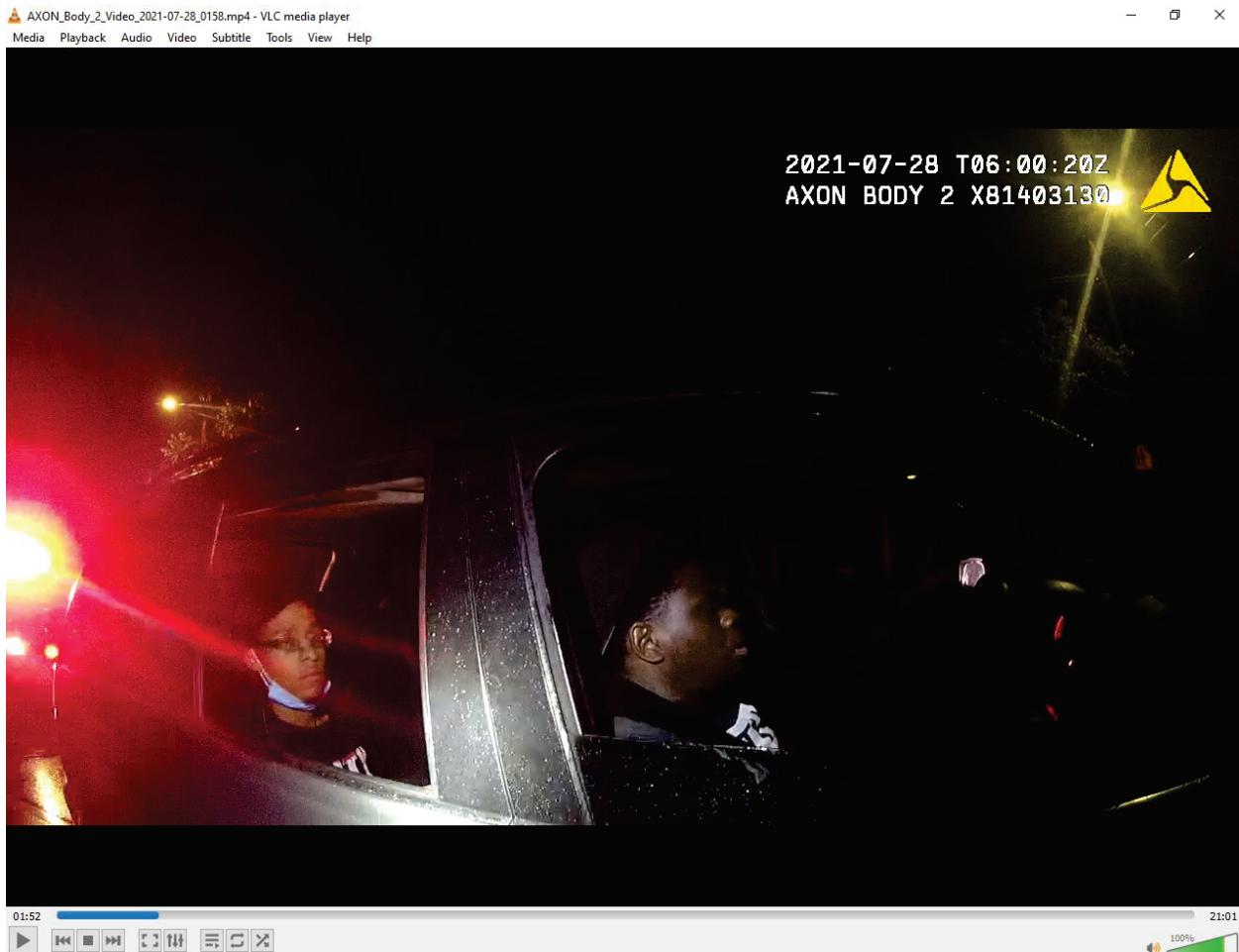
b. Officer-1 observed LANCE DOTTIN driving a gray BMW SUV, with New York licence plate number KLM7619 (the "BMW SUV"), eastbound with the headlights turned off.

c. Officer-1 initiated a traffic stop (the "Traffic Stop"). After pulling over the BMW SUV, Officer-1 observed three black males sitting inside. The driver identified himself as LANCE DOTTIN. The BMW SUV is registered to another individual named Lance Dottin, who law enforcement believes may be LANCE DOTTIN's father.

d. During the Traffic Stop, Officer-1 asked the individuals where they were coming from, and they replied, in sum and substance, that they had left the Empire City Casino and were returning to their homes in Brooklyn. Officer-1 noted that they were driving in the wrong direction, and he issued a traffic ticket for driving in the dark without headlights.

11. I have compared body camera footage from the Traffic Stop to surveillance footage from the carjacking. Based on my review, I have learned the following:

a. The following still image is taken from body camera footage from the Traffic Stop:



b. An NYPD Officer who had previously arrested MARCEL DOTTIN, the defendant, positively identified MARCEL DOTTIN as the passenger sitting in the rear passenger's side of the vehicle.

c. The following still image from surveillance footage shows MARCEL DOTTIN outside the Residence wearing the same shirt, hat, glasses and surgical mask that he had worn several hours earlier during the Traffic Stop:



d. The following still image is also taken from body camera footage from the Traffic Stop:



e. The driver of the BMW SUV identified himself to Officer-1 as LANCE DOTTIN, the defendant.

f. The following still image from surveillance footage shows LANCE DOTTIN walking outside the Residence wearing the same shirt and black surgical mask that he had worn several hours earlier during the Traffic Stop:



12. In addition to the surveillance footage, based on my conversations with other members of law enforcement and my review of law enforcement records reports, I understand that multiple license plate readers connect the BMW SUV from the Traffic Stop to the Residence. In particular, I understand that there are several license plate readers on the route from the Empire City Casino to the Residence. These license plate readers show the BMW SUV trailing behind the Victim's BMW Sedan after the Victim left the casino. Surveillance footage then shows a vehicle matching the description of the BMW SUV driving up to the Residence shortly before the carjacking occurred.

13. At approximately 5:15 p.m., on or about July 28, 2021, myself and another member of law enforcement ("Officer-2")

were conducting a search for the stolen BMW Sedan. During our search, we observed MARCEL DOTTIN, the defendant, driving the BMW Sedan at or around the intersection of St. John's and Underhill Avenue in Brooklyn, New York. MARCELL DOTTIN was stopped at a traffic light behind another vehicle. We parked our vehicle directly behind the BMW Sedan and attempted to approach MARCELL DOTTIN on foot. After he observed us approaching the vehicle, MARCELL DOTTIN reversed the BMW Sedan and collided with our vehicle. He then put the BMW Sedan in drive, collided with the vehicle stopped at the light in front of him, and fled from the scene. Shortly thereafter, law enforcement Officers located the BMW Sedan parked on Washington Avenue.

14. On or about July 28, 2021, at approximately 8:45 p.m., law enforcement officers observed three individuals walking on the street near the BMW Sedan. A member of law enforcement heard one of the individuals say, in sum and substance, "yeah, that's it." Two of the individuals entered the BMW Sedan. Members of law enforcement drove up to the BMW Sedan and removed its occupants. Law enforcement identified one of the occupants as MARCELL DOTTIN, the defendant, and arrested him.

15. On or about July 28, 2021, at approximately 9:45 p.m., myself and other members of law enforcement officers executed an outstanding arrest warrant for LANCE DOTTIN, the defendant, at his residence in Brooklyn, New York. After entering the residence, we observed LANCE DOTTIN wearing the same clothing that he had worn during the carjacking earlier that day. We then arrested LANCE DOTTIN.

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WHEREFORE, the deponent respectfully requests that MARCEL DOTTIN and LANCE DOTTIN, the defendants, be imprisoned or bailed, as the case may be.

/s/ Robert Lombardi by JCM with permission

ROBERT LOMBARDI
Task Force Officer
Federal Bureau of Investigation

Sworn to me through the transmission of this
Affidavit by reliable electronic means, pursuant to
Federal Rules of Criminal Procedure 41(d)(3) and 4.1, this
28th Day of July 2021

Judith C. McCarthy

THE HONORABLE JUDITH C. McCARTHY
United States Magistrate Judge
Southern District of New York